

Guide to i-Tutorials and Podcasts

W300 Law: agreements, rights and responsibilities

- PART A** i-Tutorials
- PART B** Podcasts
- PART C** Transcripts for i-Tutorials and Podcasts

PART A – i-TUTORIALS

1. Practical Issues
2. Guidance on how to use each individual i-Tutorial:
 - (a) How to learn on your law course
 - (b) Legal research
 - (c) The i-Tutorials on Tort
 - Introduction to Tort law
 - The Tort of Negligence
 - Proving a Claim – Defences and Contribution
 - Remedies
 - (d) The i-Tutorials on Contract
 - Formation of Contract
 - Terms of a Contract
 - Exemption Clauses
 - Remedies for Breach of Contract

1. Practical issues

Accessing i-Tutorials and Podcasts: You can access the materials from The College of Law ELITE site at <http://elite.lawcol.com>. You can also access them through the support website for your module. Enter <http://www.open.ac.uk/law> click on the link to take you to the support sites and then select the relevant site for you. You will see a further hyperlink to ELITE – Online Materials. Whichever route you use, you will need your OU Student Personal Identifier (PI) to hand, as you will need this to access these resources. The site has details about how to select ELITE as a “favourite” which means that you can access it directly, and reduce the amount of clicks required.

A note on timing: each i-Tutorial takes around an hour to view in one sitting, and many students would take about another hour to work through all the activities in each i-Tutorial. However, there is no need to work through an i-Tutorial all at once, unless this is what you want to do. Each podcast is approximately ten to fifteen minutes long.

Tube Line: At the top of the screen in each i-Tutorial there is what might be called a “Tube line”, with a series of “stops” across the top of the screen; this shows you on a continuous basis exactly where you are within the i-Tutorial, how long each section is and how close you are to completing each section.

2 Guidance on using each i-Tutorial

2.1 How to Learn on Your Law Course

This i-Tutorial summarises many of the matters dealt with in the Study Guide. We suggest that you watch this or read the Study Guide as your first activity. This will give you an overview of the resources available and what is expected. The Study Guide has more detail and you will need to refer to it throughout your studies.

The learning outcomes of this i-Tutorial are that it will help you:

- understand some different ways of learning and hopefully determine what will work best for you
- use the range of learning resources available
- understand how to organise and manage your paperwork
- understand how to manage your time effectively
- recognise how particular defined skills will underpin your studies
- and help you get off to a good start.

2.2 The Legal Research i-Tutorial

This i-Tutorial has been designed to outline the knowledge and understanding which you require as a law student to carry out practical legal research (e.g. how to find and use legal sources such as cases and statutes, and to apply them to legal questions to come up with an answer). It also looks at skills of problem-solving.

This i-Tutorial is used on all the compulsory courses and W221, W222, W223 and W224 so you may already be familiar with it. If you studied the i-Tutorial last year, and do not want to look at it again, that is fine; like all i-Tutorials, it is an optional part of your studies.

2.2.1 Where does the i-Tutorial fit into the module?

In W300, there is no single, specific part devoted to legal research. At various stages of your studies, you will need to use skills of problem-solving and legal research to answer the Activities which have been set. In addition, you will need to use these skills when carrying out some of your continuous module assessments (eTMAs).

2.2.2 Suggestions for using the i-Tutorial: how and when

Depending on how much work you have already done on legal research and problem-solving, you might want to work through the i-Tutorial either at the beginning, or at an early stage of your studies. This will enable you to get a “feel” for the materials which you will be using and

how they might fit into a strategy for carrying out practical legal research (for example, before you attempt the research-based moduls assessments).

Alternatively, you might want to dip into the i-Tutorial when you want to acquaint yourself with (or refresh your memory about) the skills and techniques involved in practical legal research.

Whenever you are able to look at the i-Tutorial, bear in mind that there is no obligation to work through it all in one sitting. It is an equally valid approach to work through as many (or as few) stages at a time as you want to. The i-Tutorial has been designed to accommodate both approaches.

2.2.3 Points to Note

If you have studied W200 before, you will notice that there is some overlap between the i-Tutorial and the material you will have studied on finding and reading cases and statutes. We have included this material in the i-Tutorial, as it can be useful to be reminded, when studying legal research, how cases and statutes are put together. However, if you do not wish to go over this area again, please feel free to skip these stages of the i-Tutorial.

At one or two points within this i-Tutorial, and the podcast, you will come across the occasional reference to other i-Tutorials on topics related to legal research. These i-Tutorials and podcasts are not currently available as they are beyond the needs of your module.

2.3 Tort i-Tutorial 1: Introduction to Tort Law

- Different torts
- Tort and other areas of law
- Practicalities
- The developing law

We suggest that you study this i-Tutorial *after* you have completed W300 Unit 1 – ‘Introduction to the law of obligations’. It will help you to consolidate your learning on tort law from this initial unit. It will also introduce topics and issues which you will meet again later in your studies.

2.4 Tort i-Tutorial 2: The Tort of Negligence

- Negligence claims analysis
 - Duty of care
 - Breach of duty
 - Causation of damage

We suggest that you study this i-Tutorial before you begin W300 Units 8–10 – ‘The Tort of Negligence’. The i-Tutorial will introduce you to the issues which you will then study in more detail in Units 8-10.

You may also wish to note here, that we will be suggesting that you view part of i-Tutorial 3 (below) when you reach section G of Units 8-10.

2.5 Tort i-Tutorial 3: Proving a Claim – Defences and Contribution

- The burden and standard of proof
- Defences

We suggest that you divide your study of this i-Tutorial between two different units of W300.

During your study of Units 8-10, when you reach section G 'Proof', we suggest that you view the first part of this i-Tutorial on 'The burden and standard of proof'.

Before you study Unit 11 – 'General defences', we suggest you view the second part of this i-Tutorial on 'Defences'.

2.6 Tort i-Tutorial 4: Remedies

- Compensation
- Damages for personal injury
- Loss of earnings
- Other damage
- Future losses
- Fatal accidents

- Other remedies
- Injunctions

We suggest that you study this i-Tutorial before you undertake W300 Units 12-13 – 'Remedies'.

Note that within Units 12-13:

- The i-Tutorial section 'Fatal accidents' relates to sections F and G
- The i-Tutorial section on 'Other remedies – injunctions' relates to section E

2.7 Contract i-Tutorial 1: Formation of Contract

- Offer
- Acceptance
- Termination of offer
- Request for information
- Counter-offer
- Intention to create legal relations
- Consideration

You will be covering formation of contracts in Units 2-4. We suggest that you study this i-Tutorial before you study Unit 2.

You may want to watch again the final section on consideration and the section on intention to create legal relations before you study Unit 4.

2.8 Contract i-Tutorial 2: Terms of a contract

- Express terms
- Implied terms
- Categorising terms according to their importance

You will be studying the terms of a contract in Unit 5. We suggest you study this i-Tutorial before you study this Unit.

You may want to watch the section on implied terms and the section on categorising terms before you begin Unit 5.

2.9 Contract i-Tutorial 3: Exemption clauses

- Incorporation
- Construction
- Unfair Contract Terms Act 1977

You will be studying exemption clauses in Units 6 and 7. You may wish to watch all the i-Tutorial before you begin Unit 6 or you may prefer to leave the final section dealing with UCTA 1977 until just before you study Unit 7.

2.10 Contract i-Tutorial 4: Remedies for Breach of Contract

- Aim of damages in contract
- Types of loss
- Remoteness of loss
- Mitigation
- Quantification of damages
- Termination
- Remedies to make the defendant perform the contract

You will be studying remedies for breach of contract in Units 17 and 18. We suggest that you study this i-Tutorial before you study Unit 17.

You may want to watch again the final section on remedies to make the defendant perform the contract before studying Unit 18.

3 Alternative suggestions on using i-Tutorials to support your study

We have given you guidance above about when you might watch the i-Tutorials so that they link to the Units which you study in W300. However, you might also want to consider using them in different ways. Here are some suggestions:

- watch all of the i-Tutorials at the start of the module. This will give you a broad general overview of what is covered. (Then study them again in more detail, when you reach each Unit, as we have outlined above)
- when you have completed a topic in W300 watch the relevant i-Tutorial again for consolidation before you move on to the next Unit
- for Units where there is no supporting i-Tutorial – try this exercise: Ask yourself *what would be the key points which you would include in an i-Tutorial to summarise this Unit?*
- watch each all of the i-Tutorials again at the end of the module as consolidation

Of course, we do not expect you to do all of these – they are just some suggestions to help you decide how to use the i-Tutorials which support your study in W300.

PART B – PODCASTS

A podcast is an audio file which you can listen to. It is stored on The College of Law ELITE site and is accessed in the same way as the i-Tutorials.

Podcasts are available for each of the i-Tutorials provided and they cover the same content as the i-Tutorial. The podcasts are stored as MP3 files. You can click on the MP3 file and listen to it on your computer. Alternatively, most people prefer to download the file on to an MP3 player, i pod or CD. You can download the file by right-clicking on the item and then selecting “save target as...”. This means that you can listen to the podcast while travelling.

PART C – TRANSCRIPTS OF I-TUTORIALS AND PODCASTS

You may experience difficulties in accessing the i-Tutorials and podcasts satisfactorily if you do not have a broadband connection. It is important to remember that the i-Tutorials and podcasts are optional and can supplement your studies, but it is not necessary to use them in order to be successful on the course. However, we have provided transcripts although we strongly recommend, that you do not print these documents unless you have special circumstances.